

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

20-CR-184

MELANIE THOMPSON,

Defendant.

**NOTICE OF MOTION AND MOTION TO SEAL GOVERNMENT'S
RESPONSE TO DEFENDANT'S SENTENCING MEMORANDUM**

THE UNITED STATES OF AMERICA, by and through its attorneys, James P. Kennedy, Jr., United States Attorney, and Jeffrey T. Fiut, Special Assistant United States Attorney, of counsel, hereby moves this Court to seal the Government's Response to Defendant's Sentencing Memorandum.

DATED: Buffalo, New York, July 27, 2021.

JAMES P. KENNEDY, JR.
United States Attorney

BY: s/Jeffrey T. Fiut
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FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

20-CR-184

MELANIE THOMPSON,

Defendant.

**DECLARATION IN SUPPORT OF THE GOVERNMENT’S MOTION TO SEAL
GOVERNMENT’S RESPONSE TO DEFENDANT’S SENTENCING
MEMORANDUM**

I, **JEFFREY T. FIUT**, declare the following under 28 U.S.C. § 1746, and state that under penalty of perjury the following is true and correct to the best of my knowledge and belief:

1. I am a Special Assistant United States Attorney for the Western District of New York and am assigned to my office’s file concerning the above-captioned matter.

2. This declaration is submitted in support of the government’s motion to file its response to the defendant’s sentencing memorandum under seal.

3. On July 8, 2021 the defendant filed her sentencing memorandum under seal. The government’s response to the defendant’s sentencing memorandum contains information regarding one of the minor victims in this case that could lead to the disclosure of the victim’s identity. The government included this information in its response in order to respond to certain arguments raised by the defendant in her sentencing memorandum. Therefore,

pursuant to 18 U.S.C. § 3509(d), the government requests that its response to the defendant's sentencing memorandum be filed under seal.

4. The government will submit its response to the defendant's sentencing memorandum directly to the Court in a sealing envelope.

WHEREFORE, the government respectfully requests that the Court grant the government's motion to seal its response to the defendant's sentencing memorandum and file said response under seal.

DATED: Buffalo, New York, July 27, 2021.

JAMES P. KENNEDY, JR.
United States Attorney

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Special Assistant United States Attorney
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